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TOC: Michigan Compiled Laws Service, Constitution, Court Rules & ALS, Combined > /.../ > EMERGENCY MANAGEMENT ACT > § 30.410. Powers of county and municipality; mutual aid or reciprocal aid agreements or compacts; assistance of emergency management coordinator.

Citation: **MCLS § 30.410**

Section: **MCLS § 30.410**

MCLS § 30.410

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CHAPTER 30 CIVILIAN DEFENSE
EMERGENCY MANAGEMENT ACT

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MCLS § 30.410 (2004)

MCL § 30.410

§ 30.410. Powers of county and municipality; mutual aid or reciprocal aid agreements or compacts; assistance of emergency management coordinator.

Sec. 10. (1) Each county and municipality that has appointed an emergency management coordinator under section 9 may do 1 or more of the following:

(a) Direct and coordinate the development of emergency operations plans and programs in accordance with the policies and plans established by the appropriate federal and state agencies. Each department or agency of a county or municipality specified in the emergency operations plan to provide an annex to the plan shall prepare and continuously update the annex providing for emergency management activities, including mitigation, preparedness, response, and recovery, by the department or agency and those other emergency activities the department or agency is specified to coordinate.

Emergency operations plans and programs developed under this subsection shall include provisions for the dissemination of public information and local broadcasters shall be consulted in developing such provisions. Emergency operations plans and programs developed under this subdivision shall include local courts.

(b) Declare a local state of emergency if circumstances within the county or municipality indicate that the occurrence or threat of widespread or severe damage, injury, or loss of life or property from a natural or human-made cause exists and, under a declaration of a local state of emergency, issue directives as to travel restrictions on county or local roads. This power shall be vested in the chief executive official of the county or municipality or the official designated by charter and shall not be continued or renewed for a period in excess of 7 days except with the consent of the governing body of the county or municipality. The declaration of a local state of emergency shall be promptly filed with the emergency management division of the department, unless circumstances attendant upon the disaster prevent or impede its prompt filing.

(c) Appropriate and expend funds, make contracts, and obtain and distribute equipment, materials, and supplies for disaster purposes.

(d) Provide for the health and safety of persons and property, including emergency

assistance to the victims of a disaster.

(e) Direct and coordinate local multi-agency response to emergencies within the county or municipality.

(f) Appoint, employ, remove, or provide, with or without compensation, rescue teams, auxiliary fire and police personnel, and other disaster workers.

(g) Appoint a local emergency management advisory council.

(h) If a state of disaster or emergency is declared by the governor, assign and make available for duty the employees, property, or equipment of the county or municipality relating to fire fighting; engineering; rescue; health, medical, and related services; police; transportation; construction; and similar items or service for disaster relief purposes within or without the physical limits of the county or municipality as ordered by the governor or the director.

(i) In the event of a foreign attack upon this state, waive procedures and formalities otherwise required by law pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of permanent and temporary workers, the utilization of volunteer workers, the rental of equipment, the purchase and distribution with or without compensation of supplies, materials, and facilities, and the appropriation and expenditure of public funds.

(2) For the purpose of providing assistance during a disaster or emergency, municipalities and counties may enter into mutual aid or reciprocal aid agreements or compacts with other counties, municipalities, public agencies, federally recognized tribal nations, or private sector agencies, or all of these entities. A compact entered into pursuant to this subsection is limited to the exchange of personnel, equipment, and other resources in times of emergency, disaster, or other serious threats to public health and safety. The arrangements shall be consistent with the Michigan emergency management plan.

(3) The emergency management coordinator may assist in the development or negotiation, or both, of a mutual aid or reciprocal aid agreement or compact made pursuant to section 4(3) and shall carry out the agreement or compact.

HISTORY: Act 390, 1976, p 1303; imd eff December 30, 1976.

Pub Acts 1976, No. 390, § 10, imd eff December 30, 1976; amended by Pub Acts 1990, No. 50, imd eff April 6, 1990.

Amended by Pub Acts 2002, No. 132, imd eff April 1, 2002, by enacting § 1 eff May 1, 2002.

NOTES:

Effect of amendment notes:

The 2002 amendment in subsection (1), in the introductory paragraph substituted "under" for "pursuant to", in paragraph (a) inserted ", including mitigation, preparedness, response, and recovery," and added the last two sentences, and in paragraph (b) deleted "proclamation or" following "The" and inserted "of a local state of emergency"; and in subsection (2) inserted "federally recognized tribal nations," and ", or other serious threats to public health and safety" and substituted a comma for "or" following "times of emergency".

Statutory references:

Sections 4 and 9, above referred to, are §§ 30.404 and 30.409.

CASE NOTES

A charter township may not legally assess property owners on a special assessment basis for the cost of an emergency preparedness-natural disaster alert system. Op Atty Gen, August 7, 1984, No. 6241.

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